

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

CONTENTGUARD HOLDINGS, INC.,

Plaintiff,

V.

AMAZON.COM, INC., et al.,


Defendants.

Case No. 2:13-CV-1112-JRG

MEMORANDUM OPINION AND ORDER

Before the Court is the Partially Opposed Motion to Continue Trial Date (Dkt. No. 938) (“Mot.”) filed by Apple Inc. (“Apple”). Apple requests a continuance of the trial date until after November 10, 2015, because of the unavailability of its corporate representative, Mr. Bud Tribble. Plaintiff ContentGuard Holdings, Inc. (“ContentGuard”) initially indicated a willingness to accommodate Apple’s request, so long as the trial would be complete prior to the Thanksgiving Holiday. *See* (Mot., at Certificate of Conference.) ContentGuard has since filed an opposition to Apple’s request. (Dkt. No. 975.) (“Opp.”) After consideration of the circumstances regarding Mr. Tribble’s unavailability, the Court finds that the Motion should be **GRANTED-IN-PART**. Accordingly, jury selection remains set for November 9, 2015. However, the Court hereby sets trial to begin at 8:30 A.M. CDT on November 11, 2015. Apple may, but is not required, to have another officer present at *voir dire* and later substitute Mr. Tribble as Apple’s corporate representative at the time the case-in-chief begins. Neither part shall disclose to the jury or the *venire* panel the reason or reasons for Mr. Tribble’s absence during jury selection, without express leave of Court.

So ORDERED and SIGNED this 2nd day of October, 2015.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE